

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MICHAEL ANTHONY WARREN,

Civil No. 05-0754 (JRT/JJG)

Petitioner,

v.
J.F. CARAWAY,
Acting Warden,

ORDER

Respondent.

Michael Anthony Warren, FPC, P.O. Box 1000, Duluth, MN 55814-1000, *pro se* petitioner.

Andrew S. Dunne, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Suite 600, 300 South Fourth Street, Minneapolis, MN 55415, for respondent.

Based upon the Report and Recommendation by United States Magistrate Judge Jeanne J. Graham dated February 21, 2006; all the files, records, and proceedings herein; and no objections having been filed to that Report and Recommendation;

IT IS HEREBY ORDERED that:

1. Petitioner's Petition for a Writ of Habeas Corpus (Doc. No. 1) is DISMISSED as MOOT since a more favorable decision on the merits would not entitle Petitioner to any additional relief;
2. Respondent's Motion to Dismiss [Doc. No. 11] is GRANTED; and

3. Petitioner's case is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 21, 2006
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge